

# COUNTY OF YORK

## MEMORANDUM

**DATE:** October 30, 2000 (BOS Mtg. 11/21/00)

**TO:** York County Board of Supervisors

**FROM:** Daniel M. Stuck, County Administrator

**SUBJECT:** Application UP-523-97 (minor amendment), Fairfield Communities, Inc.

### ISSUE

This application requests a minor amendment to an existing special use permit, pursuant to Section 24.1-115(d)(2) of the Zoning Ordinance, to authorize the deletion from a timeshare resort of an approved public golf course, the elimination of three building pads by replacing nine two-story buildings with six three-story buildings, the relocation of the maintenance building, and the addition and relocation of private resort amenities. The parcel is further identified as Assessor's Parcel No. 5-50.

### DESCRIPTION

- Property Owner: Fairfield Communities, Inc.
- Location: East side of Mooretown Road (Route 603), approximately one mile east of the intersection of Mooretown Road and Airport Road (Route 645)
- Area: 57.01 acres
- Frontage: Approximately 1500 feet on Mooretown Road (Route 603).
- Utilities: Public water and sewer available
- Topography: Rolling terrain with steep slopes to the west
- 2015 Land Use Map Designation: Economic Opportunity
- Zoning Classification: EO – Economic Opportunity
- Existing Development: Timeshare resort (under construction)
- Surrounding Development:
  - North: Waller Mill Reservoir
  - East: Woods, farmland
  - South: Woods, farmland
  - West: CSX Railroad tracks; commercial uses fronting on Richmond Road beyond
- Proposed Development: Deletion of an approved public golf course, elimination of three building pads, the relocation of the maintenance building and the addition and relocation of private recreational amenities for a 350-unit timeshare.

## **CONSIDERATIONS/CONCLUSIONS**

1. On December 17, 1997 the Board of Supervisors adopted Resolution No. R97-257 authorizing the development of a 350-unit timeshare resort on 69.4 acres located approximately one mile east of the intersection of Airport Road and Mooretown Road. Since then there have been several modifications to the original concept plan. On September 16, 1998 the Board adopted Resolution No. R98-179 authorizing the addition of a nine-hole public “pitch-and-putt” golf course, exclusion of a six-acre commercial parcel, modification of recreational amenities, as well as the redesign of the internal circulation system. In addition, the Zoning Administrator has administratively approved an alternate design for the recreation center with a deck and pool and the reconfiguration of the private road to include drive aisles with landscaped medians and traffic circles.

Outlined in Section 24.1-115(d) of the Zoning Ordinance, the procedures for amending a special use permit vary depending on the size and scope of the modifications being proposed. Although “non-material and insignificant modifications” may be authorized by the Zoning Administrator, minor enlargements and expansions (involving less than a 25% increase in lot coverage), increases in intensity, relocations, or modifications of any use permit conditions, can be authorized only by the Board without a public hearing. Any more extensive modifications would be classified as a major amendment and would be treated in the same manner as an original use permit, with public hearings before both the Planning Commission and the Board. This application, because of the extent of modifications involved, is considered a minor amendment and therefore can be approved by the Board of Supervisors without a public hearing.

2. The applicant has indicated a desire to revise the approved concept plan once again by deleting the public nine-hole golf course and the public golf clubhouse, deleting three building pads, relocating the maintenance building, adding an in-house sales and check-in building, and modifying recreational amenities. As noted above, the proposed changes to the concept plan represent minor modifications that may be approved by the Board of Supervisors without a public hearing in accordance with Section 24.1-115(d)(2) of the Zoning Ordinance. These changes do not affect the number of timeshare units originally approved on the property, although the decrease in acreage caused by right-of-way acquisition for Mooretown Road (not calculated in previous submissions) yields a minor increase in density (from 6.0 units per acre to 6.14 units per acre). I do not believe that this will create any significant impact.
3. The proposed deletion of the public nine-hole “pitch-and-putt” golf course and clubhouse will accommodate the addition of the check-in and in-house sales buildings. In addition, it allows for the proposed increased size of the central lake feature.
4. The replacement of nine two-story buildings with six three-story buildings facilitates the proposed deletion of three building pads, reducing the total impervious surface area from 15.76 acres to 15.70 acres (a 0.4% reduction). The maximum building height in the EO district is 75 feet and the three-story buildings will be well below this limit. The total number of units (350), including “lockout” units, remains unchanged.

5. The relocation of the maintenance building to the rear of the property represents a positive aesthetic change. In the previous approval a 50-foot landscaped buffer was required because of the location of the maintenance building adjacent to Mooretown Road. The relocation of the maintenance building warrants a decrease in the buffer along Mooretown Road. I recommend a 35-foot buffer along Mooretown Road.
6. The recreational amenities have been redesigned. Three outdoor swimming pools have been relocated to more central areas within the resort. One miniature golf course has been relocated and a second one is proposed. There is a decrease in the number of ponds from eight to four, facilitating the increased size of the central lake feature. In addition, an activity/picnic shelter area and three lighted tennis courts round out the expansion of the recreational amenities. These changes do not appear to change the intent of what was previously approved and I have no objection to these changes. It is important to note that all amenities are designated for private guest use only.

### **RECOMMENDATION**

The proposed modifications are relatively minor and are consistent with the resort that was approved in 1997 and revised in 1998, and the additional amenities should increase its appeal. Deletion of the public golf course is of little consequence since it was not part of the original approval of the project and was only added later at the request of the developer. Furthermore, the elimination of three building pads will yield a small reduction in impervious surface on a site that abuts watershed property owned by the City

of Williamsburg. Finally, relocation of the maintenance building to the rear of the property will enhance the view of the development from Mooretown Road. Therefore, based on the considerations and conclusions as noted, I recommend approval subject to the conditions contained in proposed Resolution R00-177. Many of the conditions contained within the proposed Resolution R00-177 are included from the previous approvals. While some of the conditions have been met, they are included in order to establish one set of conditions that will follow the project from beginning to end.

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#### **Attachments**

- Zoning Map
- Narrative description submitted by the applicant (10/11/00)
- Color rendering of Modified Development Plan submitted by the applicant (October 16, 2000)
- Architectural elevation renderings (3)
- Letter, Scott Chapman, P.E. to Al Maddalena (8/21/00)
- Memorandum, J. Mark Carter to Sam Daniel (3/1/00)
- Resolution R97-257
- Resolution R98-179(R)
- Proposed Resolution R00-177